

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00137

RAHKEEM CHEEKS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On August 5, 2025, the United States of America appeared by Jennifer D. Gordon, Assistant United States Attorney, and the defendant, Rahkeem Cheeks, appeared in person and by his counsel, David R. Bungard, First Assistant Federal Public Defender, for a hearing on the petition and amendment seeking revocation of supervised release submitted by United States Probation Officer M. Dylan Shaffer. The defendant commenced a three-year term of supervised release in this action on May 25, 2022, as more fully set forth in the Judgment in a Criminal Case entered by the court on January 28, 2016.

The court heard the admissions of the defendant, and the representations and arguments of counsel.

Pursuant to the court's findings of fact and conclusions of law as enumerated in open court on the record of this proceeding, which are ORDERED incorporated herein by reference, the court finds by a preponderance of the evidence that the defendant has violated the conditions of his supervised release as follows: (1) on April 19, 2023, the defendant committed the state offense of possession with intent to deliver heroin as found by the Circuit Court of Kanawha County, West Virginia to which the defendant pleaded guilty on September 18, 2024, and was sentenced to an indeterminate time of 1 to 15 years; (2) on April 19, 2023, the defendant was in possession of a Sterling 25 firearm, two boxes of .40 caliber Smith and Wesson ammunition, one box of .25 auto ammunition, and 44 rounds of .40 caliber Smith and Wesson ammunition, which he was prohibited from possessing by virtue of both Federal and State laws; and, (3) on February 7, February 22, March 6, and March 28, 2023, the defendant submitted urine specimens that, by way of laboratory results, tested positive for norfentanyl, a metabolite of fentanyl; all as admitted by the defendant except as to (2) set forth above to which the defendant admits only that the United States has sufficient evidence to prove by a preponderance of the evidence that the defendant was in possession of a Sterling 25 firearm and the ammunition noted above; and all as set forth in the petition and

amendment on revocation of supervised release, and by the court's findings on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violations found as set forth above warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b) (2) and (c) (1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWENTY-FOUR (24) MONTHS on each counts one through five to run concurrently with each other for a total term of twenty-four (24) months, and with no further term of supervised release on each count one through five.

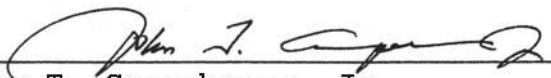
The court finds the sentence is sufficient but not greater than necessary to meet the goals of sentencing.

Upon the request of the defendant and with no objection from the government, the courts recommends that the defendant be housed as close to Charleston, West Virginia as feasible.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 7, 2025

  
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John T. Copenhaver, Jr.  
Senior United States District Judge